

HONOURABLE SMT. JUSTICE T.MEENA KUMARI

WRIT PETITION No:16041 OF 1996

Dated: 12.7.2006

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Between:

M. Prasada Rao

..Petitioner

And

The Regional Manager, New India
Assurance Company Limited,
Regional Office, V Floor, Surya
Towers, S.P. Road,
Secunderabad.

..Respondent.

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WRIT PETITION No:16041 OF 1996

ORDER:

This writ petition is filed by the petitioner seeking a direction, in the nature of writ of mandamus, to declare the action of the respondent in finalizing the selection for the post of Sub-Staff in their organization without interviewing him in pursuance of the call letter dated 12.7.1996 as illegal and arbitrary and to direct the respondent to interview him and consider his case for selection along with other eligible candidates.

It is the case of the petitioner that the respondent addressed a letter dated 12.7.1996 calling him to appear for interview to be held on 22.7.1996 at 10 a.m. for the post of Sub-Staff, under certificate of posting. The petitioner received the same on 23.7.1996 at 3.00 p.m. Hence, he could not appear for interview. Though he made a representation before the respondent, no steps were taken. Hence the writ petition.

Heard both the Counsel and perused the material available on record.

On a perusal of the record, it is apparent that due to postal delay, the petitioner could not attend the interview for the post of Sub-staff. At this juncture, it is pertinent to note that while admitting the writ petition, this Court issued an interim direction to the respondent not to finalize the selections to the post of Sub-Staff, for which interviews were conducted on 22.7.1996.

No material has been placed before this Court that the writ petitioner has received the call letter after the interview date i.e., 22.7.1996. Even assuming that the writ petitioner has received the call letter after the interview was over, it can be said that it is only due to the postal delay in delivering the call letter in regular course of duties and due to the distance of the village of the petitioner. In this view of the matter, the blame cannot be thrown either on the respondent or on the postal department. Hence, I see no merits in this writ petition and the same is liable to be dismissed.

In the result, the writ petition is dismissed. Consequently, the interim direction shall stand vacated. No costs.

Justice T. Meena Kumari

Date: 12th July, 2006
Nn/Gurc.